United Nations A/63/449

General Assembly

Distr.: General
18 November 2008

Original: English

Sixty-third session
Agenda item 119

Programme planning

Report of the Special Political and Decolonization Committee (Fourth Committee)

Rapporteur: Ms. Paula **Parviainen** (Finland)

1. At its 2nd plenary meeting, on 19 September 2008, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its sixty-third session the item entitled "Programme planning" and to allocate it to the Special Political and Decolonization Committee (Fourth Committee) as well as to all the other Main Committees and the plenary of the General Assembly to enhance discussion of evaluation, planning, budgeting and monitoring reports.

2. The need did not arise for the Fourth Committee to take up this item during the main part of the sixty-third session of the General Assembly.

08-52157 (E) 211108

United Nations A/63/450

General Assembly

Distr.: General
19 November 2008

Original: English

Sixty-third session
Agenda item 119

Programme planning

Report of the Sixth Committee

Rapporteur: Mr. Marko **Rakovec** (Slovenia)

1. At its 2nd plenary meeting, on 19 September 2008, the General Assembly, on the recommendation of the General Committee, decided to include the item entitled "Programme planning" in its agenda and to allocate it to the Sixth Committee as well as to all the other Main Committees and the plenary of the Assembly to enhance discussion of evaluation, planning, budgeting and monitoring reports.

2. The Sixth Committee considered the item at its 26th meeting, on 14 November 2008 (see A/C.6/63/SR.26). The Committee was informed that the Committee for Programme and Coordination had considered and recommended for approval by the General Assembly programme 6, Legal affairs, of the biennial programme plan for the period 2008-2009.

3. At the same meeting, the Sixth Committee concluded its consideration of the item without taking action.

08-52223 (E) 021208

United Nations A/63/451

General Assembly

Distr.: General
18 November 2008

Original: English

Sixty-third session
Agenda item 129

Administration of justice at the United Nations

Report of the Sixth Committee

Rapporteur: Mr. Marco **Rakovec** (Slovenia)

I. Introduction

1. By its decision 62/519 of 6 December 2007, the General Assembly decided to include in the provisional agenda of its sixty-third session the item entitled "Administration of justice at the United Nations". In paragraph 68 of its resolution 62/228 of 22 December 2007, the General Assembly invited the Sixth Committee to consider the legal aspects of the reports to be submitted by the Secretary-General, without prejudice to the role of the Fifth Committee as the Main Committee entrusted with responsibilities for administrative and budgetary matters.

2. At its 2nd plenary meeting, on 19 September 2008, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and, in the light of Assembly resolution 62/228 and decision 62/519, to allocate it to both the Fifth and the Sixth Committees.

3. The Sixth Committee considered the item at its 1st, 15th and 26th meetings, on 6 and 24 October and 14 November 2008. The views of the representatives who spoke during the Committee's consideration of the item are reflected in the relevant summary records (A/C.6/63/SR.1, 15 and 26).

4. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Ad Hoc Committee on the Administration of Justice at the United Nations (A/63/55 and Add.1);

(b) Report of the Secretary-General on the administration of justice at the United Nations (A/63/314);

(c) Report of the Secretary-General on the administration of justice in the Secretariat: outcome of the work of the Joint Appeals Board during 2006 and 2007

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and statistics on the disposition of cases and work of the Panel of Counsel (A/63/211);

(d) Report of the Secretary-General on the activities of the Ombudsman (A/63/283);

(e) Letter dated 18 July 2008 from the President of the Administrative Tribunal to the President of the General Assembly (A/63/253).

5. On the recommendation of the Ad Hoc Committee on the Administration of Justice at the United Nations, the Sixth Committee decided, at its 1st meeting, on 6 October, to establish a Working Group on the Administration of Justice at the United Nations, with a view to finalizing its deliberations on the draft statutes of the United Nations Dispute Tribunal and the United Nations Appeals Tribunal as a priority, bearing in mind resolution 62/228, in which the General Assembly decided to establish a two-tier formal system of administration of justice as from 1 January 2009, and continuing the discussion of the other legal aspects of the administration of justice at the United Nations. At the same meeting, the Committee elected Mr. Ganeson Sivagurunathan (Malaysia) as Chairman of the Working Group and decided to open the Working Group to all States Members of the United Nations or members of the specialized agencies or of the International Atomic Energy Agency. The Working Group held four meetings on 7, 17, 21 and 22 October 2008.

6. Also at the 1st meeting, the Chairman of the Ad Hoc Committee on the Administration of Justice at the United Nations introduced the report of the Ad Hoc Committee.

7. At the 15th meeting of the Sixth Committee, on 24 October, the Chairman of the Working Group presented an oral report on the work of the Working Group (see A/C.6/63/SR.15). At the same meeting, the Committee adopted, with oral amendments, the text of the draft statutes of the United Nations Dispute Tribunal and the United Nations Appeals Tribunal, with bracketed unagreed text (A/C.6/63/L.7 and A/C.6/63/L.8), and decided that its Chairman would transmit the text of the draft statutes to the Chairman of the Fifth Committee, through the President of the General Assembly (A/C.5/63/9).

II. Consideration of draft decision A/C.6/63/L.9

8. At the 15th meeting, on 24 October, the representative of Malaysia, on behalf of the Bureau, introduced a draft decision entitled "Administration of justice at the United Nations" (A/C.6/63/L.9).

9. At the 26th meeting, on 14 November, the Chairman of the Committee orally revised draft decision A/C.6/63/L.9. The Secretary of the Committee made a statement regarding the financial implications of the draft decision, as orally revised.

10. At the same meeting, the Committee adopted draft decision A/C.6/63/L.9, as orally revised, without a vote (see para. 11).

III. Recommendation of the Sixth Committee

11. The Sixth Committee recommends to the General Assembly the adoption of the following draft decision:

Administration of justice at the United Nations

The General Assembly decides that the Ad Hoc Committee on the Administration of Justice at the United Nations established pursuant to Assembly decision 62/519 of 6 December 2007 will continue the work on the outstanding legal aspects of the item, taking into account the results of the deliberations of the Fifth and Sixth Committees on the item, previous decisions of the Assembly and any further decisions that the Assembly may take during its sixty-third session prior to the meeting of the Ad Hoc Committee. The Ad Hoc Committee shall meet from 20 to 24 April 2009, and shall report on its work to the Assembly at its sixty-fourth session. The General Assembly also decides to include in the provisional agenda of its sixty-fourth session the item entitled "Administration of justice at the United Nations".

United Nations A/63/452

General Assembly

Distr.: General
17 November 2008

Original: English

Sixty-third session
Agenda item 150

Report of the Committee on Relations with the Host Country

Report of the Sixth Committee

Rapporteur: Mr. Marko **Rakovec** (Slovenia)

I. Introduction

1. The item entitled "Report of the Committee on Relations with the Host Country" was included in the provisional agenda of the sixty-third session of the General Assembly pursuant to Assembly resolution 62/72 of 6 December 2007.

2. At its 2nd plenary meeting, on 19 September 2008, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.

3. The Sixth Committee considered the item at its 26th meeting, on 14 November 2008. The views of the representatives who spoke during the Committee's consideration of the item are reflected in the relevant summary record (A/C.6/63/SR.26).

4. For its consideration of the item, the Committee had before it the report of the Committee on Relations with the Host Country.[1]

5. At the 26th meeting, on 14 November, the Chairman of the Committee on Relations with the Host Country introduced the report of that Committee (see A/C.6/63/SR.26).

II. Consideration of draft resolution A/C.6/63/L.18

6. At the 26th meeting, on 14 November, the representative of Cyprus, on behalf of Bulgaria, Canada, Costa Rica, Côte d'Ivoire and Cyprus, introduced a draft

[1] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 26* (A/63/26).

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resolution entitled "Report of the Committee on Relations with the Host Country" (A/C.6/63/L.18).

7. At the same meeting, the Committee adopted draft resolution A/C.6/63/L.18 without a vote (see para. 8).

III. Recommendation of the Sixth Committee

8. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

Report of the Committee on Relations with the Host Country

The General Assembly,

Having considered the report of the Committee on Relations with the Host Country,[1]

Recalling Article 105 of the Charter of the United Nations, the Convention on the Privileges and Immunities of the United Nations,[2] the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations[3] and the responsibilities of the host country,

Recalling also that, in accordance with paragraph 7 of General Assembly resolution 2819 (XXVI) of 15 December 1971, the Committee should consider, and advise the host country on, issues arising in connection with the implementation of the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations,

Recognizing that effective measures should continue to be taken by the competent authorities of the host country, in particular to prevent any acts violating the security of missions and the safety of their personnel,

1. *Endorses* the recommendations and conclusions of the Committee on Relations with the Host Country contained in paragraph 51 of its report;[1]

2. *Considers* that the maintenance of appropriate conditions for the normal work of the delegations and the missions accredited to the United Nations and the observance of their privileges and immunities, which is an issue of great importance, are in the interest of the United Nations and all Member States, and requests the host country to continue to solve, through negotiations, problems that might arise and to take all measures necessary to prevent any interference with the functioning of missions; and urges the host country to continue to take appropriate action, such as training of police, security, customs and border control officers, with a view to maintaining respect for diplomatic privileges and immunities and if violations occur to ensure that such cases are properly investigated and remedied, in accordance with applicable law;

3. *Notes* the problems experienced by some permanent missions in connection with the implementation of the Parking Programme for Diplomatic Vehicles[4] and shall remain seized of the matter, with a view to continuing to maintain the proper implementation of the Parking Programme in a manner that is fair, non-discriminatory, effective and therefore consistent with international law;

4. *Requests* the host country to consider removing the remaining travel restrictions imposed by it on staff of certain missions and staff members of the

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[1] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 26* (A/63/26).

[2] Resolution 22 A (I).

[3] See resolution 169 (II).

[4] A/AC.154/355, annex.

Secretariat of certain nationalities, and, in this regard, notes the positions of affected States as reflected in the report of the Committee, of the Secretary-General and of the host country;

5. *Notes* that the Committee anticipates that the host country will enhance its efforts to ensure the issuance, in a timely manner, of entry visas to representatives of Member States, pursuant to article IV, section 11, of the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations[3] to travel to New York on United Nations business; and notes that the Committee anticipates that the host country will enhance efforts to facilitate participation, including visa issuance, of representatives of Member States in other United Nations meetings as appropriate;

6. *Notes also* that a number of delegations have requested shortening the time frame applied by the host country for issuance of entry visas to representatives of Member States, since this time frame poses difficulties for the full-fledged participation of Member States in United Nations meetings;

7. *Expresses its appreciation* for the efforts made by the host country, and hopes that the issues raised at the meetings of the Committee will continue to be resolved in a spirit of cooperation and in accordance with international law;

8. *Affirms* the importance of the Committee being in a position to fulfil its mandate and meet on short notice to deal with urgent and important matters concerning the relations between the United Nations and the host country, and in that connection requests the Secretariat and the Committee on Conferences to accord priority to requests from the Committee on Relations with the Host Country for conference-servicing facilities for meetings of that Committee that must be held while the General Assembly and its Main Committees are meeting, without prejudice to the requirements of those bodies and on an "as available" basis;

9. *Requests* the Secretary-General to remain actively engaged in all aspects of the relations of the United Nations with the host country;

10. *Requests* the Committee to continue its work in conformity with General Assembly resolution 2819 (XXVI);

11. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "Report of the Committee on Relations with the Host Country".

United Nations A/63/453

General Assembly

Distr.: General
5 November 2008

Original: English

Sixty-third session
Agenda item 151

Observer status for the South Centre in the General Assembly

Report of the Sixth Committee

Rapporteur: Mr. Marko **Rakovec** (Slovenia)

I. Introduction

1. The item entitled "Observer status for the South Centre in the General Assembly" was included in the agenda of the sixty-third session of the General Assembly at the request of the United Republic of Tanzania.

2. At its 2nd plenary meeting, on 19 September 2008, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.

3. The Sixth Committee considered the item at its 11th and 25th meetings, on 21 October and 5 November 2008. The views of the representatives who spoke during the Committee's consideration of the item are reflected in the relevant summary records (A/C.6/63/SR.11 and 25).

4. For its consideration of the item, the Committee had before it a letter dated 19 June 2008 from the Permanent Representative of the United Republic of Tanzania to the United Nations addressed to the Secretary-General (A/63/141).

II. Consideration of draft resolution A/C.6/63/L.3

5. At the 11th meeting, on 21 October, the representative of the United Republic of Tanzania, on behalf of Angola, Benin, Brazil, China, Côte d'Ivoire, the Democratic Republic of the Congo, Guyana, India, Indonesia, Iran (Islamic Republic of), Jamaica, Kenya, Malawi, Malaysia, Mauritius, Morocco, Mozambique, Namibia, Nigeria, Pakistan, the Philippines, Sierra Leone, South Africa, the Sudan, Suriname, the Syrian Arab Republic, the United Republic of Tanzania, Viet Nam, Zambia and Zimbabwe, subsequently joined by Madagascar and Mali, introduced a draft resolution entitled "Observer status for the South Centre in the General Assembly" (A/C.6/63/L.3).

6. At its 25th meeting, on 5 November, the Committee adopted draft resolution A/C.6/63/L.3 without a vote (see para. 7).

08-52241 (E) 281108

III. Recommendation of the Sixth Committee

7. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

Observer status for the South Centre in the General Assembly

The General Assembly,

Wishing to promote cooperation between the United Nations and the South Centre,

1. *Decides* to invite the South Centre to participate in the sessions and the work of the General Assembly in the capacity of observer;

2. *Requests* the Secretary-General to take the necessary action to implement the present resolution.

United Nations A/63/454

General Assembly

Distr.: General
17 November 2008

Original: English

Sixty-third session
Agenda item 156

Observer status for the International Fund for Saving the Aral Sea in the General Assembly

Report of the Sixth Committee

Rapporteur: Mr. Marko **Rakovec** (Slovenia)

I. Introduction

1. The item entitled "Observer status for the International Fund for Saving the Aral Sea in the General Assembly" was included in the agenda of the sixty-third session of the General Assembly at the request of Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan.

2. At its 34th plenary meeting, on 30 October 2008, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.

3. The Sixth Committee considered the item at its 25th and 26th meetings, on 5 and 14 November 2008. The views of the representatives who spoke during the Committee's consideration of the item are reflected in the relevant summary records (A/C.6/63/SR.25 and 26).

4. For its consideration of the item, the Committee had before it a letter dated 6 October 2008 from the Permanent Representatives of Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan to the United Nations addressed to the Secretary-General (A/63/234).

II. Consideration of draft resolution A/C.6/63/L.13

5. At the 25th meeting, on 5 November, the representative of Tajikistan, on behalf of Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan, introduced a draft resolution entitled "Observer status for the International Fund for Saving the Aral Sea in the General Assembly" (A/C.6/63/L.13).

6. At its 26th meeting, on 14 November, the Committee adopted draft resolution A/C.6/63/L.13 without a vote (see para. 7).

08-52247 (E) 281108

III. Recommendation of the Sixth Committee

7. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

Observer status for the International Fund for Saving the Aral Sea in the General Assembly

The General Assembly,

Wishing to promote cooperation between the United Nations and the International Fund for Saving the Aral Sea,

1. *Decides* to invite the International Fund for Saving the Aral Sea to participate in the sessions and the work of the General Assembly in the capacity of observer;

2. *Requests* the Secretary-General to take the necessary action to implement the present resolution.

United Nations A/63/455

General Assembly

Distr.: General
5 November 2008

Original: English

Sixty-third session
Agenda item 153

Observer status for the University for Peace in the General Assembly

Report of the Sixth Committee

Rapporteur: Mr. Marko **Rakovec** (Slovenia)

I. Introduction

1. The item entitled "Observer status for the University for Peace in the General Assembly" was included in the agenda of the sixty-third session of the General Assembly at the request of Costa Rica.

2. At its 2nd plenary meeting, on 19 September 2008, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.

3. The Sixth Committee considered the item at its 11th and 25th meetings, on 21 October and 5 November 2008. The views of the representatives who spoke during the Committee's consideration of the item are reflected in the relevant summary records (A/C.6/63/SR.11 and 25).

4. For its consideration of the item, the Committee had before it a letter dated 11 September 2008 from the Permanent Representative of Costa Rica to the United Nations addressed to the Secretary-General (A/63/231).

II. Consideration of draft resolution A/C.6/63/L.2

5. At the 11th meeting, on 21 October, the representative of Costa Rica, on behalf of Chile, Colombia, Costa Rica, Italy, Nicaragua, Peru, the Philippines, Saint Lucia, Turkey and Venezuela (Bolivarian Republic of), subsequently joined by Croatia, Cuba, Egypt, El Salvador, Guatemala, Jordan, Mexico, Montenegro, Pakistan, Paraguay, the Russian Federation, Slovenia, Spain and the former Yugoslav Republic of Macedonia, introduced a draft resolution entitled "Observer status for the University for Peace in the General Assembly" (A/C.6/63/L.2).

6. At its 25th meeting, on 5 November, the Committee adopted draft resolution A/C.6/63/L.2 without a vote (see para. 7).

08-52253 (E) 191108

III. Recommendation of the Sixth Committee

7. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

Observer status for the University for Peace in the General Assembly

The General Assembly,

Wishing to promote cooperation between the United Nations and the University for Peace,

1. *Decides* to invite the University for Peace to participate in the sessions and the work of the General Assembly in the capacity of observer;

2. *Requests* the Secretary-General to take the necessary action to implement the present resolution.